

APPLICANTS: ILAN, Gabriel et al.  
SERIAL NO.: 09/674,710  
FILED: January 29, 2000  
Page 5

### **REMARKS**

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

### **Status of Claims**

Claims 8-19 and 21-33 are pending in the application and have been rejected. Claim 33 has been amended.

### **The Telephone Interview**

Initially, Applicants wish to thank the Examiner, Yonel Beaulieu, for the telephone interview of November 3, 2004 with Applicants' Representatives, Dan Swirsky, Reg. No. 45,148 and Heidi M. Brun, Reg. No. 34,504. During the interview, Applicants' Representatives argued that the Examiner did not consider the previous amendment to claims 25 and 33, that of "combined consideration of both a voice input and a handwritten input" (Claim 33) as there is no discussion of this limitation in the current Office Action. The Examiner indicated that, as a result, if the next Action is not allowance, it will not be a Final Office Action.

The Examiner mentioned that claim 33 seems unclear to him. While Applicants' Representatives consider that the unamended wording of claim 33 to be clear, Applicants' herein are amending claim 33 from one all inclusive step to three separate steps, to answer the Examiner's concerns.

Applicants' Representatives also discussed the meaning of "handwriting recognition" with the Examiner. As has been discussed previously, handwriting recognition is well known in the art and Applicants are using the term with its known usage. Applicants' Representatives reminded the Examiner that handwriting recognition units attempt to recognize movement on an

APPLICANTS: ILAN, Gabriel et al.  
SERIAL NO.: 09/674,710  
FILED: January 29, 2000  
Page 6

input device, such as the touchpad input of the present invention or a tablet that a user writes on with a stylus, as alphanumeric symbols. In this way, they recognize the words that the user writes on the input device (and thus, the term “handwriting recognition”).

Touchpad pushbutton systems (or touch switches), such as that in the cited reference Morimoto et al., attempt only to determine if a finger touched the area of the touchpad display which is currently defined as a pushbutton. This is not handwriting recognition as there is no attempt to determine an alphanumeric symbol associated with the motion on the pushbutton. Instead, Morimoto et al. (and others like them) merely attempt to determine IF a finger touched or moved about the area defined as a pushbutton.

To add to the discussion in the Interview, handwriting recognition is part of a discipline called “pattern recognition”, aiming to match spatial patterns against previously stored patterns. The spatial patterns can include static location, dynamic movement, acceleration and other trigonometric measures (angle, baseline etc.). The main difficulty in pattern recognition is that the spatial patterns to be recognized are not identical to the stored patterns, nor are their locations fixed (the latter is only true for touchpad identification). For example, a stored alphanumeric character can differ from an input pattern in size, location, tilting and shape, while the location of a pre-defined button does not change.

Handwriting recognition methods can also be used with other gestures, which are not necessarily alphanumeric (like drawing a “smiley face” as a pattern).

## **CLAIM REJECTIONS**

### **35 U.S.C. §102 Rejections**

In the Office Action, the Examiner rejected claims 8 – 10, 12 – 17, 21, 25 – 28 and 33 under 35 U.S.C. §102(e), as being anticipated by Morimoto et al. (US Patent 5,757,359).

Despite the Examiner’s arguments, Morimoto et al. does not show both voice and handwritten inputs since Morimoto et al. has no handwritten inputs. Instead, as argued above, it has pushbuttons, or “touch switches” as Morimoto et al. calls them, on its touchpad displays.

APPLICANTS: ILAN, Gabriel et al.  
SERIAL NO.: 09/674,710  
FILED: January 29, 2000  
Page 7

As argued in the Interview, touch switch 411 of Fig. 16, which the Examiner identified in the current Office Action as being a handwriting recognition unit, is NOT a handwriting recognition unit. Morimoto et al. describes it as:

“A switch 103 may be (1) touch switches or keys on the touch panel, i.e. the function buttons displayed in the display 102 and/or (2) button switches provided around the periphery of the display 102, so that the various operations are executed responsive to signals inputted from those switches. Thus, the input signal generating means forming the input portion may include the touch switches in the touch panels and/or button switches which together constitute the touch position detecting section 4 of the present invention.”  
(col. 8, lines 55 – 63)

Morimoto et al. does not consider touch switch 411 as a handwriting recognition unit. The Examiner should not either.

Since Morimoto et al. does not have a handwriting recognition unit nor does it perform handwriting recognition, Morimoto et al. cannot have the elements of independent claims 25 and 33.

Moreover and as argued in the Interview, the Examiner did not consider the limitations entered with the previous amendment. Claim 25 recites:

“wherein both of said voice and handwritten inputs are considered in combination with each other.”

Therefore, Applicants respectfully assert that independent claims 25 and 33 are allowable. Claims 8 – 15, 17, 19, 21 – 24, 26, 27 and 29 depend from, directly or indirectly, claim 25 and therefore, include all the limitations of that claim. Therefore, Applicants respectfully assert that claims 8 – 15, 17, 19, 21 – 24, 26, 27 and 29 are likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections to independent claims 25 and 33 and to claims 8 – 15, 17, 19, 21 – 24, 26, 27 and 29 dependent thereon.

APPLICANTS: ILAN, Gabriel et al.  
SERIAL NO.: 09/674,710  
FILED: January 29, 2000  
Page 8

### **35 U.S.C. § 103 Rejections**

In the Office Action, the Examiner rejected claims 11, 18, 22 and 30 – 32 under 35 U.S.C. § 103(a), as being unpatentable over Morimoto as applied to claim 25.

Morimoto et al. has been discussed above. That discussion, in which the allowability of claim 25 was shown, is applicable here. Claims 11, 18, 22 and 30 - 32, dependent from claim 25, are also allowable.

In addition, Applicants note that the Examiner stated:

“While Morimoto is somewhat silent on associating the data with at least a three-dimensional hand gesture, Morimoto does teach using two-dimensional hand gestures (see fig. 31) that is at least fully functionally equivalent to what is claimed.” (Office Action, page 4, 5 lines from the end of the page).

Applicants disagree. Morimoto et al. says the following about Fig. 31:

“To determine the touch area, the horizontal and vertical touch data are acquired as individual values, as shown in FIG. 31. For determining the detailed scale, moreover, the vertical distance  $Y'=(Y+1)*b_i$  and the horizontal distance  $X'=(X+1)*a_i$  are calculated as shown in FIG. 32.” (col. 13, lines 60 - 64)

Morimoto et al. is not showing a two-dimensional hand gesture, but how to determine where the finger touched.

Accordingly, Applicants respectfully assert that this rejection should be withdrawn.

### **Conclusion**

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number

APPLICANTS: ILAN, Gabriel et al.  
SERIAL NO.: 09/674,710  
FILED: January 29, 2000  
Page 9

below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

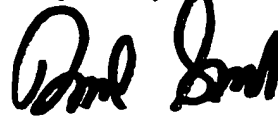
**Authorization to Charge Deposit Account**

The United States Patent and Trademark Office is hereby authorized to charge Deposit Account 501380 for any fee which is necessary in connection with the filing of this response.

Dated: January 13, 2005

ALPHAPATENT ASSOCIATES LTD.  
P.O.B. 2345  
BEIT SHEMESH, ISRAEL 99544  
TEL. (US) 516-620-4573  
TEL. 011 972 2 999 1035  
FAX. 011 972 2 999 7638  
[dswirsky@alphapatent.com](mailto:dswirsky@alphapatent.com)

Respectfully submitted,



Daniel J. Swirsky  
Attorney for Applicant(s)  
Registration No. 45,148